

# **EXHIBIT 3**



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## 2020 Transparency Report

### ABOUT US

Founded in 2007, Pornhub is the leading ad-supported adult video sharing platform that offers users the ability to view and share content. It also allows for verified users to upload their own original content. While we value freedom of expression, it is our highest priority to ensure that our community remains safe, inclusive, diverse, and free from abusive and illegal content that violates our Terms of Service, Related Guidelines, and the spirit of the Pornhub community. We continuously strive to offer the best user experience possible, and that includes endeavoring to make our site safer for all concerned.

### MISSION

We are committed to creating and fostering an adult space to safely, consensually, and freely express and explore sex and sexuality, without fear of being exposed to dangerous, illegal, or hateful and discriminatory content. Part of this commitment involves maintaining a community that fosters, respects, and reflects our **Core Values**: Consent, Freedom of Sexual Expression, Authenticity, Originality, and Diversity. This is why we are dedicated to ensuring that our user base remains informed on what is and is NOT allowed on the platform. We also work to ensure we have effective content moderation processes, which are regularly re-evaluated and adapted as new technologies and methods become available from third parties and as we develop our own internal software solutions.

### OUR TRANSPARENCY REPORT

This report provides information on the reporting period from January 2020 to December 2020. This report provides visibility into our content moderation processes including details related to:

- The tools we use to combat the spread of child sexual abuse material (CSAM), non-consensual content, and other illegal materials, and to deter perpetrators who seek to circumvent our rules.
- Offending content and how much of that content we have taken down.
- The reports we receive from users and external sources.
- 2020's initiatives and developments, as well as a preview of new developments we are looking forward to rolling out.

This is our first transparency report. It is one of many proactive **Trust and Safety** efforts that we have made and are making going forward, not only to make Pornhub the safest platform on the web, but also to empower users, affiliates, and the public by making this information readily available. We strongly encourage anyone reading this to provide feedback and comments by visiting our **feedback forum**.

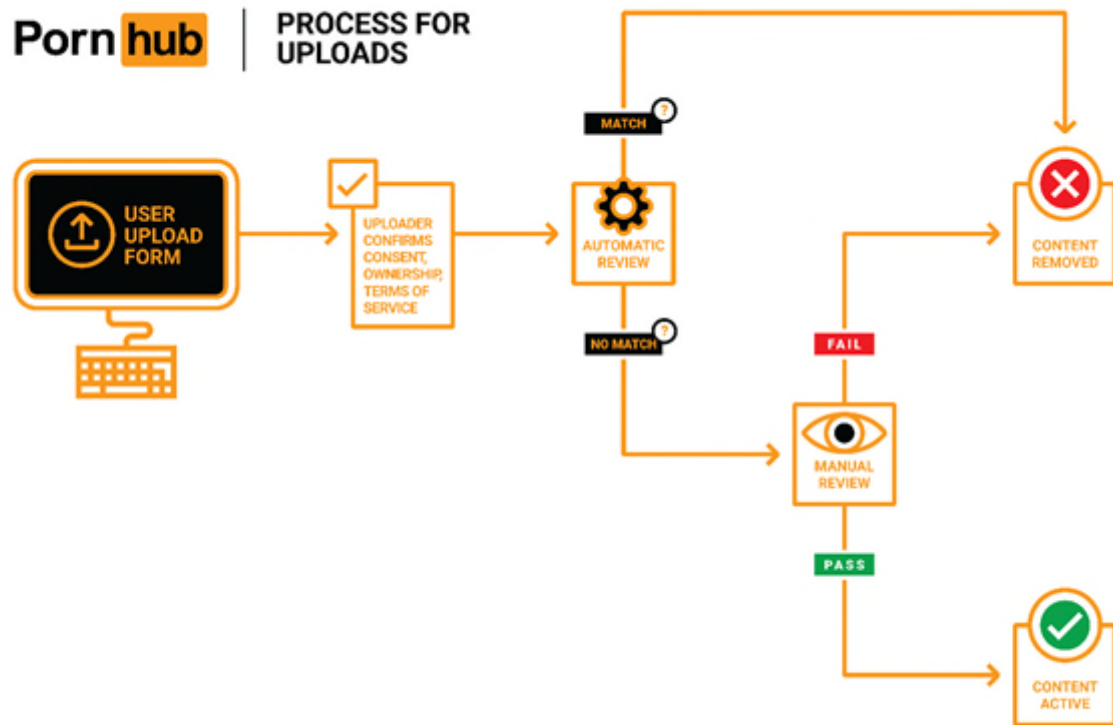
## **OUR APPROACH TO CONTENT MODERATION**

In an on-going effort to ensure that our platform remains free of illegal content, and any other content that violates our **Terms of Service** and **Related Guidelines**, Pornhub moderates user-uploaded content before it is accessible to the public and we continue to monitor content after it is accessible to the public. Our combination of human review and cutting-edge detection technologies enable us to rapidly respond to issues while maintaining a safe and inclusive platform.

### **Our Upload & Review Process**

Our review process starts when a user uploads content to Pornhub. At the time of upload, we require our users to confirm that they have consent of the people depicted in the content, that they own the content, and that the content complies with our Terms of Service and Related Guidelines.

Once content is uploaded, we scan it using our automated detection technologies. If any of these tools identify material that should not be on Pornhub, the content will never be made available to the public. Where the content passes this initial automated screening, it is then reviewed by our real-life human moderators. Only after the content is reviewed by both our automated detection technologies and our human moderators will content be available to the public on our platform.



### Cutting-Edge Automated Detection Technology

Pornhub deploys several different automated detection technologies to help moderate content before it can be published, including:

- **CSAI Match** – YouTube’s proprietary technology for combating child sexual abuse imagery. In 2020, we scanned all video content previously uploaded to Pornhub against [YouTube’s CSAI Match](#) and continue to scan all new uploads.
- **PhotoDNA** – Microsoft’s technology that aids in finding and removing known images of child sexual abuse material. In 2020, we scanned all photos previously uploaded to Pornhub through [Microsoft’s PhotoDNA](#), and continue to scan all new uploads.
- **Google’s Content Safety API** – [Google’s Content Safety API](#) uses artificial intelligence to help companies better prioritize abuse material for review. The API steps up the fight for child safety by prioritizing potentially illegal content for human review and helping reviewers find and report content faster.
- **MediaWise** – [Vobile](#)’s cyber “fingerprinting” software that scans all new user uploads in order to help prevent previously identified offending content from being re-uploaded.
- **Safeguard** – Safeguard is Pornhub’s proprietary image recognition technology designed with the purpose of combatting both child sexual abuse imagery and non-consensual content, like revenge pornography, and helping to prevent the re-uploading of that content to our platform and any other

platform that uses Safeguard. We believe in sharing this technology with other social media platforms, video sharing platforms, non-profits, and governmental organizations, free of charge, to help make our platform, as well as the Internet at large, a safer place for all by helping to limit the spread of this harmful content. We also will provide the Safeguard technology to our **Trusted Flaggers** so that our Trusted Flaggers can fingerprint content on behalf of victims or potential victims.

Pornhub remains vigilant when it comes to researching, adopting, and using the latest and best available detection technology to help make it a safe platform, while remaining an inclusive, sex positive online space for adults.

## Human Moderators

Our content moderators review content that gets uploaded to our platform before the content is accessible to the public. This seeks to prevent any materials that violate our **Terms of Service** and Related Guidelines from being made visible to our users. Our team works around the clock in an effort to prevent unacceptable content from being made available to the public for viewing. Pornhub content moderators are trained to identify uploads that violate our Terms of Service, to review flagged posts and comments for infringing content, and to take the time they need to make the judgments involved in reviewing uploaded material.

When a user's content or platform activity violates our Terms of Service and Related Guidelines, we will not publish the content, and, where appropriate, we will permanently terminate the user's account and remove their content. Where a user's content is deemed to have violated our **Child Sexual Abuse Material Policy**, we examine the user's account to identify any other possible offending content. After that review, we report the user and their offending content to the **National Center for Missing and Exploited Children** (NCMEC). NCMEC works with law enforcement agencies around the world to help child victims and bring perpetrators to justice. Learn more about [Pornhub's 2020 NCMEC reporting numbers](#).

Our content moderation efforts strive to remain in alignment and even go beyond the measures listed in the **Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse** (March 2020), which is part of a coordinated effort by the U.S. Department of Justice as well as the governments of Canada, Australia, New Zealand, and the United Kingdom. To put it simply, Pornhub is committed to doing our part to help stamp out child abuse and sex trafficking.

## User & Public Generated Reports

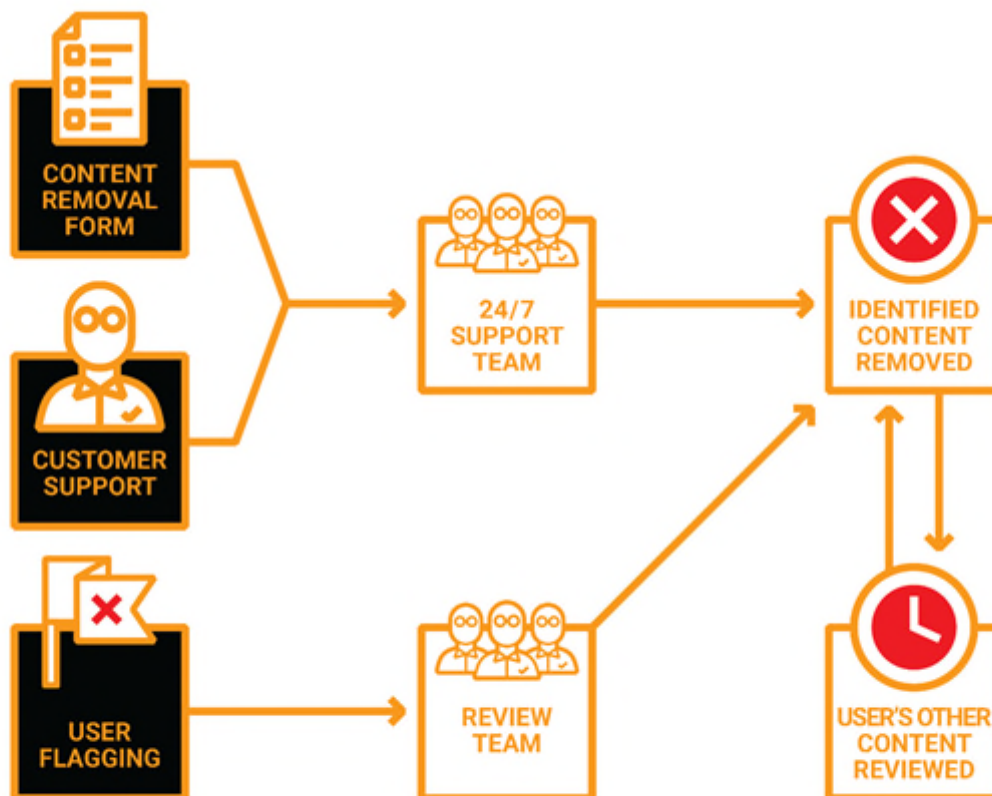
In the spirit of our **Core Values**, we encourage all Pornhub users to report or flag content that may violate our **Terms of Service** and **Related Guidelines**, which are the fundamental rules that all Pornhub

users must follow. By activating our user base in this way, we can quickly and efficiently identify illegal content and the users responsible. We are grateful to all concerned users and our Pornhub members who care enough to reach out and engage in keeping our community safe!

Pornhub users that are logged into their account can flag content, flag comments, and flag other users on Pornhub that they think might violate our Terms of Service and Related Guidelines or might be inappropriate for our platform. Logged in users flag content using the flag button located at the bottom of videos and photos, on the right-hand side of each comment, and on other user's profiles. These flags are reviewed by our designated moderators.

In addition to flags, any person—whether they have a Pornhub account or not—can easily and confidentially report content and request its removal by contacting customer support or by using our [Content Removal Request Form](#). The Content Removal Request Form is located and visible at the bottom of each page, along with a link to our [Trust and Safety Center](#). Our dedicated support team strives to respond to all support requests as soon as reasonably possible.

# Pornhub | USER & PUBLIC REPORTS



## INITIATIVES AND DEVELOPMENTS IN 2020

### Trust and Safety Center

In the spring of 2020, we launched our **Trust and Safety Center** as part of our ongoing efforts to ensure the safety of our users and clarify what we stand for and what we strongly oppose. Our Trust and Safety Center outlines our **Core Values** and the kind of behavior and content that is—and is not—allowed on the platform. It also highlights important points of our **Terms of Service** by providing some **Related Guidelines**, and it shares some of our existing policies with respect to how we tackle violations through prevention, identification, and response. Soon, we plan to add more “how-to” articles addressing common issues and resolutions to them. We are also looking to add more case studies, policy documentation, and resources on community moderation.

## Trusted Flagger Program

Launched in 2020, our [Trusted Flagger Program](#) is comprised of 44 members in the non-profit sector spanning over 30 countries, including the Internet Watch Foundation (UK), the Cyber Civil Rights Initiative (USA), End Child Prostitution and Trafficking (Sweden/Taiwan), and Point de Contact (France). This program allows hotlines, helplines, government agencies, and other trusted organizations to disable content automatically and instantly from Pornhub, without awaiting our internal review. It is a significant step forward in identifying, removing, and reporting harmful and illegal content.

## Lucy Faithfull Foundation & Deterrence Messaging

The Lucy Faithfull Foundation is a widely respected non-profit organization at the forefront of the fight against child sex abuse whose crucial efforts include a campaign designed to deter searches seeking or associated with underage content. Over the past several months we have actively worked with Lucy Faithfull to develop deterrence messaging for certain user searches on our platform. As a result, attempts to search for certain words and terms now yield a clear deterrence message about the illegality of underage content, while offering a free, confidential, and anonymous support resource for those interested in seeking help for controlling their urges to engage in illegal behavior.

## Yoti – Third Party Identity Documentation Validation

Yoti is our third-party identity documentation verification service provider. We currently use Yoti to verify the identity of our users before they can upload content to our platform.

Trusted by governments and regulators around the world, as well as a wide-range of commercial industries, Yoti deploys a combination of state-of-the-art AI technology, liveness anti-spoofing, and document authenticity checks to thoroughly verify the age of any user. Yoti technology can handle millions of scans per day with over [240 million age scans performed in 2019](#). Among other commendations, Yoti is certified by the [BBFC](#)'s age verification program and approved by the internationally recognized standards of the [ACCS](#).

Users who verify their age with Yoti can trust that their personal data remains secure. Yoti is certified to meet the requirements of ISO/IEC 27001, which is the global gold standard for information security management. This means that Yoti's security aligns with Pornhub's commitment to protecting our users' privacy as well. You can learn more about how Yoti works [here](#).

## CORPORATE RESPONSIBILITY



**Pornhub Cares** is a philanthropic endeavor focused on furthering the charitable contributions of Pornhub as a whole. Starting with our “Save the Boobs” campaign in October 2012 aimed at raising awareness and funds for breast cancer, Pornhub has donated millions of dollars and raised awareness for important causes such as Black Lives Matter, Coronavirus relief efforts, intimate partner violence, animal welfare and the environment through philanthropic campaigns that engage our users. Over the years we have worked with and donated to well-recognized and respected organizations such as PETA, the NAACP, the Center for Honeybee Research, Movember, and more, leveraging our 130 million daily visitors to increase awareness and donate funds to some very important causes.

**The Pornhub Sexual Wellness Center (SWC)** was launched in 2017 under the direction of esteemed sex therapist Dr. Laurie Betito as an online resource aiming to provide our audience with information and advice regarding sexuality, sexual health, and relationships. The SWC furthers Pornhub’s commitment to conveying unequivocally that *pornography should NOT be a replacement for proper sex education*—and also that *sex in porn is very different from sex in real life!* The SWC features original editorial and video content on an assortment of topics from a diverse array of doctors, therapists, community leaders and experts.

### **Community Guidelines Enforcement**

Every day, verified users around the world submit content, including videos and photos, to Pornhub. We embrace the fact that Pornhub is often one of the first places adults turn to in order to discreetly explore and express their sexual fantasies. As such, we take privacy and safety seriously: to us, this is part of our broader social responsibility and commitment to creating and fostering an adult space to safely, consensually, and freely express and explore sex and sexuality—*without fear of being exposed to dangerous, illegal, or hateful and discriminatory content.*

### **Potentially Offending Content**

In 2020, **653,465** pieces of content were identified as potentially offending and consequently removed globally for possibly infringing our [Terms of Service](#) and [Related Guidelines](#).

Below, we offer a few examples of what we consider to be infringing content, to give some insight on what kinds of material are not permitted on our platform. It should be noted that the list below is non-exhaustive, and that content was also removed from the site for a variety of other reasons such as the unauthorized upload of copyrighted material, spam, false or dangerous information, political propaganda, fraud, hate speech, and more.

- 1. Content depicting a minor:** As we explain in more detail below, we have a zero-tolerance policy against underage content or the exploitation of minors in any capacity. Whether real or simulated,

underage content has no place on our platform. Any user found to be posting underage content will have their account terminated, will be reported to NCMEC, and should face legal consequences.

2. **Non-Consensual Content:** We value the freedom of diverse sexual expression—but consent always comes first. As we explain in Pornhub’s **Core Values**: it is NEVER acceptable to upload a video of someone without that person’s consent. Any user found to be posting non-consensual content or revenge pornography, or to be doxing (disclosing personal information of another) will be subject to our **Non-Consensual Content Policy**. In appropriate circumstances, our policies call for us to terminate the account.
3. **Hate speech:** Diversity is one of Pornhub’s core values. We do not allow abusive or hateful comments or content of a racist, homophobic, transphobic, fat-shaming, or otherwise derogatory nature intended to hurt or shame those individuals featured.
4. **Content Depicting Animal Harm:** No content depicting harm towards animals is permitted on Pornhub. This includes animations of animals in such contexts as well. Pornhub vehemently denounces all physical and psychological forms of animal abuse and cruelty. We also consider exploiting an animal for sexual gratification as an activity that we simply won’t tolerate on the platform.
5. **Prohibited Bodily Fluids:** Content depicting blood related to violence or feces, among others, is not permitted on Pornhub.
6. **Incest:** Although content that depicts engaging in consensual sexual activity with a sibling’s partner or friend’s mom is permitted on Pornhub, we draw the line at incest. Engaging in any sexual activity involving incest (real or simulated) is forbidden. We prohibit content that depicts sexual activity between persons related within the collateral and lineal lines of descent, which also includes, as part of this prohibited content, content which features sexual activity involving adopted persons within a lineal or collateral descent context.
7. **Violent Content:** Our Terms of Service, and Related Guidelines, prohibit content that features the depiction of rape, forced sexual acts, and extreme violence which pose a real likelihood of causing serious physical harm and/or death. Remember, a kink that LOOKS degrading or humiliating is NOT the same thing as an illegal, abusive, or non-consensual act. What goes on between consenting adults is exactly that: consensual. Non-consent must be distinguished from consent to relinquish control. We recognize that content that is categorized as BDSM, hardcore, or rough may often contain graphic content. Although some may consider BDSM, hardcore, or rough sex as “degrading” or “dehumanizing,” these words are entirely subjective. Essentially, what is degrading and dehumanizing to you may be empowering and dignifying for someone practicing safe BDSM play. Our moderation team carefully evaluates content in order to determine whether what some may consider to be “extreme” fantasies actually violate our Terms of Service and Related Guidelines, or pose a real threat or likelihood of causing serious distress or physical injury to the individuals involved.

## **CHILD SEXUAL ABUSE MATERIAL (CSAM) & ENFORCEMENT**

We have a firm zero tolerance policy against underage content, as well as the exploitation of minors in any capacity.

We'll say it again: Pornhub is against the creation and dissemination of child sexual abuse imagery (CSAM), as well as the abuse and trafficking of children. CSAM is one of many examples of illegal content that is prohibited by our **Terms of Service** and **Related Guidelines**.

Pornhub is proud to be one of the 1,400+ companies registered with the **National Center for Missing and Exploited Children** (NCMEC) ESP Program. We have made it a point to not only ensure our policies and moderation practices are aligned with global expectations on child exploitation, but also to publicly announce our commitment and support to continue to adhere to the **Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse**.

Child sexual abuse material that is detected through moderation efforts or reported to us is reported to NCMEC. For the purposes of our **Child Sexual Abuse Material Policy** and our reporting to NCMEC, we deem a child to be a human, real or fictional, who is or appears to be below legal age. Any content that features a child engaged in sexually explicit conduct or lascivious and/or lewd exhibition is deemed CSAM for the purposes of our Child Sexual Abuse Material Policy.

NCMEC's 2020 report indicates that Pornhub submitted over 13,000 reports of potential CSAM. This number includes several thousand duplicates, with most reports submitted multiple times in an abundance of caution. We have confirmed the number of unique reports submitted to NCMEC is 4,171 and have communicated with NCMEC to accurately annotate the remaining reports as duplicates. To be clear, many of these instances were caught by our moderation practices before the content became available for the public. We work with NCMEC, law enforcement and any other authorities to ensure that we can do our part to stamp out CSAM on the internet and assist in bringing to justice those committing these crimes.

We are committed to being as transparent as possible and to being a leader in eradicating abusive content from the internet. We will continue to do our part to ensure Pornhub is free from any illegal content.

Our Child Sexual Abuse Material Policy can be found **here** and includes a list of external resources dedicated to educating people on CSAM and helping victims. When content is brought to our attention through external reports, we take those requests seriously: if the content is CSAM, it is immediately removed, it is fingerprinted to prevent re-upload, and it is reported to NCMEC. We also review the user's account to identify any other material that should be reported to NCMEC and we ban the user.

We continue to cooperate with law enforcement and child protection oriented non-profits around the world.

### COOPERATION WITH LAW ENFORCEMENT

We cooperate with law enforcement and readily provide all information available to us upon request and receipt of appropriate documentation and authorization. This section counts the number of legal removal requests received for Pornhub in 2020, and the volume of those requests dealing with both non-consensual and child exploitation matters. Legal removal requests are submitted by governments and law enforcement, as well as private parties.

In 2020, we received **1,081** legal requests. Figure 3 shows the reports broken down by month. Table 1 shows the reports broken down by country of origin.

Figure 3 – 2020 Legal Reports – Monthly Breakdown

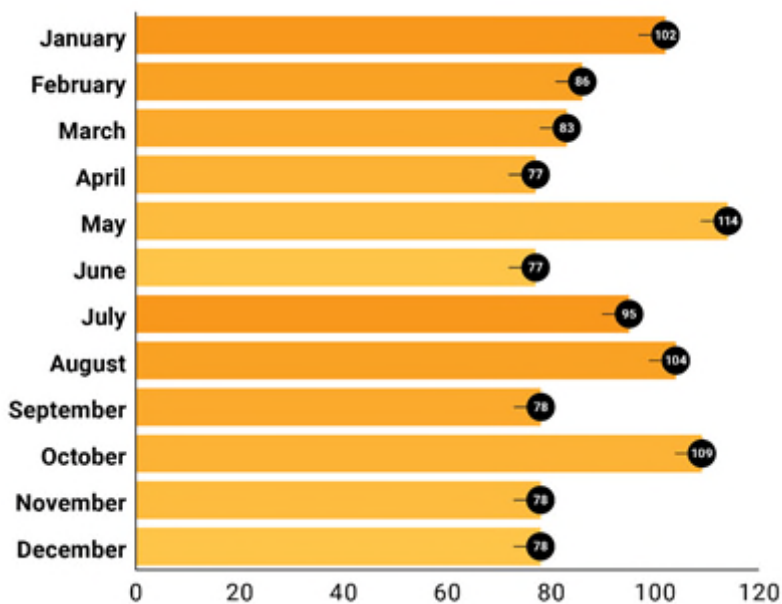


Table 1 2020 Law Enforcement Requests by Countries (Top 20 only)

Country	Number of Requests
USA	483
Germany	70
UK	62
Canada	55
Italy	54
France	41
Australia	35
Greece	26
Denmark	24
Spain	18
Bulgaria	15
Sri Lanka	15
Japan	12
Mexico	11
Poland	11
Romania	11
Sweden	11
Brazil	10
India	10
Cyprus	8
Other	99

## COPYRIGHT REMOVALS

When we receive a complete and valid copyright notice (otherwise known as a DMCA Takedown notice), we comply with the notice and remove the infringing content identified in the request. Additionally, users found to be multiple infringers are permanently banned from the site. Pornhub has a copyright removal request form which content owners can easily use to report their copyright claims.



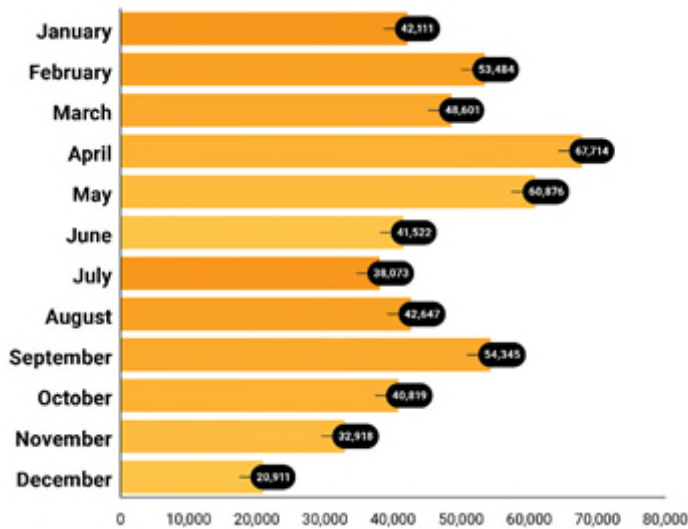
This section of the report provides data on the volume of content removed from Pornhub in 2020 in response to valid copyright notices as well as the number of copyright removal reports received in 2020. We also include data on content that was reinstated by reason of the original poster submitting a copyright counter notice or the rightsholder retracting their removal request.

### Digital Millennium Copyright Protection Act Requests Received

The *Digital Millennium Copyright Protection Act*, known as the DMCA, “criminalizes production and dissemination of technology, devices, or services intended to circumvent measures that control access to copyrighted works.”

In 2020, we removed **544,021** pieces of content for DMCA violations. We provide a monthly breakdown below (Figure 4).

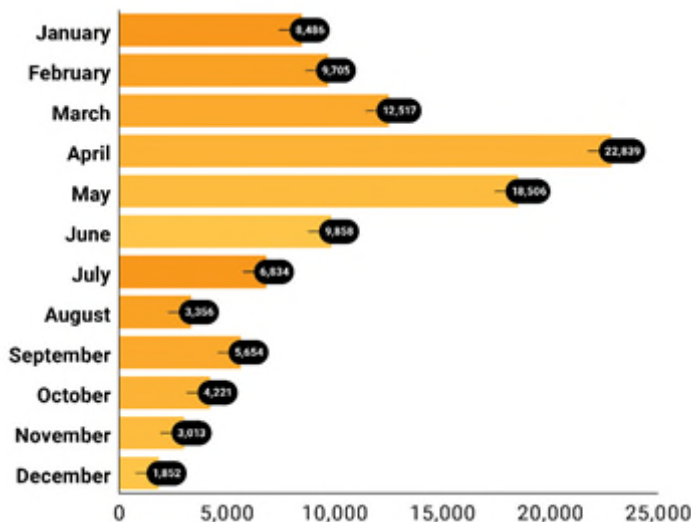
**Figure 4** – DMCA requests received.



## Copyright Content

In addition to DMCA requests, we prevented an additional **106,841** pieces of copyright-protected content from being published by scanning our uploads against content which was previously fingerprinted. We provide a monthly breakdown below (Figure 6). Of these 106,841 pieces of content, 98.15% were identified via **MediaWise®** from **Vobile®**.

Figure 5 – Copyright content removed at time of upload



## OUR COMMITMENT CONTINUES...

Several projects that will make Pornhub even safer and more user-friendly are in progress for 2021. Some of these include:



- More Trust and Safety blog posts to answer “hot topic” questions and provide users with useful information, as well as ways to optimize their Pornhub experience.
- Adding new **cutting-edge technologies** to our artillery in the fight against abusive and harmful content and users.
- **Improvements and changes to our Trust and Safety Center** to continue to help users get a better understanding of why we remove content and to provide more insight into the types of content we do not allow. We’ll also be sharing additional guidelines for our other policies.
- More content added to our Wellness Center.
- Trust & Safety content geared towards studio partners and affiliates to help them better protect their content as well as to ensure that content created is compliant with our **Terms of Service** and **Related Guidelines**.

Finally, we plan to publish our transparency reports annually.

With every transparency report, we seek to provide more information, and pledge to make our reports as accessible and informative as possible. Of course, in time we also aspire to make our Trust and Safety Center itself a go-to source for anyone seeking readily available information on our platform’s policies and procedures. Ultimately, through these combined efforts going forward, we strive for Pornhub to become the industry standard as the safest online adult platform—and again, we welcome all feedback that will help us improve along this journey.

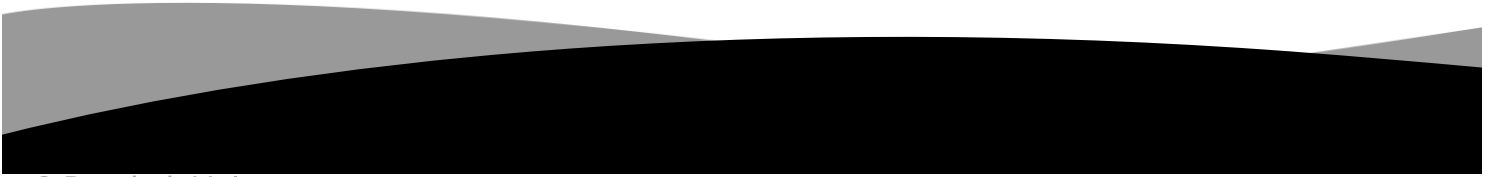
We look forward to sharing more with you and keeping you updated along the way in our **blog**—stay tuned.

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12 out of 13 found this helpful





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